

Speech Communication Assistance By Telephone, Inc.*

Via electronic filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Ex parte* notice – *Telecommunications Relay Services and
Speech-to-Speech Services for Individuals with Hearing and
Speech Difficulties*, CG Docket No. 03-123

Dear Ms. Dortch:

I understand that the Commission is considering adopting the so-called “MARS Plan” for setting interstate rates for various forms of TRS, including Speech-to-Speech (“STS”) service. As I have previously explained, taking this step would violate the Americans with Disabilities Act and inflict disastrous consequences on the speech-disabled community.

Section 225 of the Communications Act requires the Commission to ensure that the various forms of interstate relay service are “functionally equivalent” to traditional phone service. As the FCC has recognized, the need to achieve functional equivalency is particularly urgent for “people with severe speech disabilities, an insular community that has been, for the most part, denied access to the telephone network.”¹ To meet this need, the Commission wisely established STS as a form of TRS. Sadly, however, the Commission has not followed through on the promise of this important first step. Rather, the FCC has slowed progress toward functionally equivalent STS by setting the interstate rate for the service well below the level of providers’ costs.

On June 29, the FCC froze the interstate rate for STS at \$1.409 per minute. This rate is much lower than the reasonable costs incurred by STS providers. For the 2007-08 rate year, for example, the projected average cost

¹ 15 FCC Rcd 5140. That same order also explains that “STS will help break the insularity barriers that confine members of the community of people with speech disabilities and offer them opportunities for education, employment, and other, more intangible benefits (freedom, joy, self-reliance) that are concomitant with independence.”

of providing STS is \$3.4546 per minute – more than twice the per-minute compensation providers currently receive. Clearly, providers cannot provide functionally equivalent STS when they are denied the opportunity to recover their costs; nor can they undertake the kind of vigorous outreach needed to educate the public, including hundreds of thousands of speech-disabled Americans who do not appear to be aware of STS, about the availability of the service.

Adopting the MARS Plan would only make this bad situation worse. As I understand it, under the MARS Plan, the interstate STS rate would be lower than providers' estimated costs. The Commission should not deprive providers of the funding they need to adequately serve the speech-disabled community.

Setting the rate for STS below what providers say they need would save very little money – the maximum projected cost for all STS minutes for the 2007-08 rate year is less than \$900,000. Depriving STS providers of sufficient funding would cause severe harm to speech-disabled individuals, however, reducing critical outreach education programs and decreasing service quality. Adopting the MARS Plan in its current form, or otherwise reducing the STS rate below what providers need, would send a clear message that the FCC does not care about the speech-disabled.

To avoid this result, the Commission should set the interstate STS rate no lower than providers' costs. Thus, if the Commission were to apply the MARS Plan to STS, it should adopt a per-minute interstate STS rate that is the higher of either (i) the MARS rate or (ii) \$3.4546.

Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record of the above-captioned proceeding.

Sincerely,

/s/ Bob Segalman
Bob Segalman, Ph.D.
Founder, Speech to Speech

*SCT is a nonprofit 501c3 organization devoted to improving telephone services for people with speech disabilities.